

GOVERNOR WAITS IN THE BRANDI CASE

Attorney-General Expects a Pardon, but Encounters Opposition.

BOUND TO HAVE AN INQUIRY

**Prisoner Left in Sing Sing Over Night—
Extracts From Rosalsky's
Letter.**

Folke E. Brandt, Mortimer L. Schiff's former servant, brought by habeas corpus proceedings from Clinton prison, where he has served five years of the thirty year sentence given him by Judge Rosalsky.

for burglary, got as far as Sing Sing last night. He will appear before Justice Gerard this morning at 10:30 o'clock in Special Term, Part II, of the Supreme Court, where Attorney-General Carmody

will ask for the dismissal of the writ and for a delay of the decision so that Brandt's case may be reviewed by Gov. Dix. Mr. Carmody will also suggest that the prisoner be remanded to Sing Sing in the

interval. It is unlikely that Brandt will appear before Judge Rosalsky at 2 P. M. when his counsel will ask the Judge to order a new trial.

Immediately following the exclusive

announcement by THE SUN yesterday morning that Attorney-General Carmody will report to Gov. Dix that Folke E. Brandt should be pardoned and that the Attorney-General will call for an in-

investigation to determine whether improper influences were used to obtain Brandt's conviction powerful influences were brought to bear on Gov. Dix to convince him that Brandt's case should not

THE SUN learned last night that the Governor is wavering. On one side of him is the Attorney-General demanding complete publicity in the Brandt case and

an open investigation. On the other are the friends of the Governor, among them Alton B. Parker, who are advising the Governor to pay no attention to popular clamor; to stand by his decision and keep the papers sealed. They are using as their

Attorney-General Carmody, who arrived here last night, told THE SUN reporter that he believed the Governor's

would be swayed eventually by the facts in the case, not by what either the friends of the Schiffs or of Brandt might say to him. Mr. Carmody will ask Supreme Court Justice Gerard to-day to delay his decision on the writ of habeas corpus.

CARMODY MEANS BUSINESS.
"I believe," said Attorney-General Car-

mody. "that the pardon will be granted. The Governor knows that misrepresentations were made to him, but he is beset by people who tell him that it would be wrong to stir things up again on account of scandal. However, the Governor has

"If the situation is what I think it is I shall report to Gov. Dix that a review

of the case is necessary and that there is ground for clemency. I shall recommend also that an extra Grand Jury be summoned, which shall be presided over by the Supreme Court, for the purpose of conducting an unsparing investigation

of the whole Brandt proceeding. If there was money used in sending Brandt to prison the people are entitled to know about it. They should know who got the money if money was used.

Governor agrees with me—that the State's attitude must not be clouded in mystery. The issues in this case are more important to the State than they are to the unfortunate young man Brandt. There appears to have been a misuse of the courts.

The Attorney-General spoke heatedly. It was evident that he is thoroughly aroused. He had left the Governor only

a few minutes before taking the Metropolitan Express for New York. Mr. Carmody had labored with Gov. Dix for an hour, urging the Governor to take a flat-footed stand. The Attorney-General believes that action in Brandt's case cannot

moves that action in Brandt's case cannot be postponed much longer and that the Governor should turn a deaf ear to all appeals, influences or friendly advice. Nothing but the facts should be allowed to speak for themselves. Mr. Carmody said Mr. Carmody, to have a bearing on the question as to whether Brandt

ROSALSKY'S LETTER DEFENDED SENTENCE
"There is no question as to the effect that Judge Otto A. Rosalsky's letter to the Governor had on the Governor's decision that Brandt should not be released."